

**Daufuskie
Island
Utility
Company, Inc.**

PO BOX 4043•TEQUESTA•FL 33469

888•635•7878

March 31, 2021

VIA ELECTRONIC FILING AND EMAIL

The Honorable Jocelyn Boyd
Chief Clerk/Administrator
South Carolina Public Service Commission

RE: Docket No. 2014-346-WS
Revised Notice and Certificate of Mailing

Dear Ms. Boyd:

On February 25, 2021, the Commission approved a Settlement Agreement between and among the parties to this proceeding. In proposing the Commission accept the Settlement Agreement, Commissioner Ervin made a motion that included the following:

I move that the Commission formally approve the Settlement Agreement, ...
Additionally, I move that the Commission grant the request for Daufuskie Island Utility Company, Incorporated, to implement the 2021 Rates for services beginning March 1, 2021, and that the Company may include the same in its April 1, 2021, quarterly billing.

I further, as part of the motion, would require that, prior to sending out the notice to customers, that ORS be given an opportunity to review the notice and approve it, and then notify us in writing that it has been approved and show copies to all parties, prior to submission to the customers.

Directive, February 25, 2021 at 1.

Over the following ten days ORS and DIUC conferred multiple times and exchanged multiple drafts for a notice, as contemplated by the February 25, 2021, Directive. However, ORS and DIUC were unable to agree on a final version of the notice.

On March 12, 2021, DIUC filed its Proposed Notice with Schedules I and II. On March 16, 2021, ORS filed a letter setting forth its two principal concerns with DIUC's Proposed Notice.

On March 24, 2021, the Commission convened to consider the outstanding issues as to the form/content of DIUC's Proposed Notice. Commissioner Ervin's motion, as included in the directive that followed, stated:

I move that the Commission approve the Proposed Notice with the changes suggested by the Office of Regulatory Staff, which would include a statement of the maximum amount of possible surcharge, as well as the average possible surcharge, and an intervention date that is at least thirty (30) days after the mailing date of the approved Notice by the Company.

Directive, March 24, 2021, at 1.

Over the following days DIUC worked to calculate the maximum amount of the possible surcharge by type of account so that information could be included in a revised notice. DIUC then updated the proposed notice and schedules to comply with the March 24, 2021, Directive.

The updated notice and schedules include the information required by the March 24, 2021, Directive, specifically “the maximum amount of possible surcharge, as well as the average possible surcharge, and an intervention date that is at least thirty (30) days after the mailing date of the approved Notice by the Company.”

The updated notice also includes information for the customers regarding the Commission’s permission for DIUC to “implement the 2021 Rates for services beginning March 1, 2021, and ... include the same in its April 1, 2021, quarterly billing.” See Directive, February 25, 2021 at 1.

On March 30, 2021, DIUC sent to each affected customer (by U.S. Mail and/or by electronic mail to those customers who have agreed to receive notice by electronic mail) a copy of the updated notice and schedules. A certification of that mailing is attached hereto as Exhibit A. The certification includes a copy of the updated notice and schedules.

DIUC wanted to get the notices out so that customers would receive the notices before their April 1, 2021, billing under the new rates. DIUC did not expect any further instruction beyond the March 24, 2021, Directive. We were surprised to later in the day receive notice of Commission Orders 2021-132 and 2021-192 with its instruction to provide a copy of the updated notice to the parties before mailing to the customers.

Although the order of events may have caused some confusion, DIUC felt compelled to get the notices out before April 1, 2021, billing and to include updated language that we believe complies with the March 24, 2021, Directive.

The preparation of the notice and sending it to all customers on a timely basis required a time-consuming and major effort. It would have been impossible to complete if only begun yesterday afternoon. I trust the ORS and Commission will find that the notice complies with the Commission’s Directive and subsequent Orders. We will certainly provide any additional information the Commission may require.

Sincerely,

/s/

John F. Guastella

cc: Hearing Office David Butler (David.Butler@ors.sc.gov)
Andrew M. Bateman, Esq. (abateman@ors.sc.gov)
Jeff Nelson, Esq. (jnelson@ors.sc.gov)
John J. Pringle, Jr., Esq. (jack.pringle@arlaw.com)